

REMARKS

The examiner is thanked for the courtesy extended during the telephone interview of March 19, 2003.

By way of the instant amendment, claim 10 has been cancelled. Thus, claims 1 and 3-9 remain for examination.

Withdrawal of Claim 9

In paragraph 1 of the outstanding office action the examiner has indicated that claim 9 is withdrawn from consideration as being drawn to a non-elected species. Claim 9 has now been written in independent form essentially combining the limitations of amended claim 1 (instead of its previous dependency on claim 8) with previously amended claim 9. Further, pursuant to the suggestion of the examiner in the telephone interview of March 20, 2003, applicant has replaced the term "silver-based sheath" with "silver sheath". This silver sheath is shown as element 110 in applicant's elected species Figures 21-24.

Drawing Change

In paragraph 2 of the outstanding office action the examiner has objected to the drawings under 37 C.F.R. § 1.83(a). The examiner states that the ceramic layer and metal sheath in Figures 21-25 must be shown or these features cancelled from the claims. Pursuant to the telephone interview with the examiner, new drawings are being submitted for Figures 21-25 showing the proper cross hatching for the ceramic layer 112. The examiner indicated that it appeared that the shading for the metal sheath was proper as set forth in the original drawings.

Prior Art Rejection

Claims 1-8 and 10 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Cotton (5,908,812).

Claim 1 has been amended to make it clear that the ceramic layer surrounds at least a group of oxide superconductors in a contiguous manner as shown in applicant's

Figures 21 and 24. In contrast, Cotton merely shows that two of the superconductive cores or filaments 10 are separately surrounded by an insulating layer 20, and the insulating layers are separated from one another. That is the insulating layers 20 of Cotton do not form an "contiguous ceramic region of said ceramic layer" as recited in applicant's amended claim 1, and shown in applicant's Figures 21 and 24. According to applicant's amended claim 1, the contiguous ceramic region must surround at least a group (two or more) of the plurality of oxide superconductors. No such comparable structure is shown in Cotton.

In order for a reference to be anticipatory under 35 U.S.C., the reference must disclose each and every limitation appearing in the claims. This is certainly not the case here and thus it is submitted that the rejection over Cotton must be withdrawn and that claim 1 is patentable thereover.

The sole remaining independent claims 8 and 9 have similar limitations to those discussed above in connection with claim 1. Claim 9 has similar working as to the contiguous region and claim 8 recites a similar idea in that the ceramic layer is recited as being in contact with each of filaments.

Applicant's dependant claims 2-7 and 10 depend directly or indirectly upon independent claims 1 and 8 and are deemed to be patentable at least for the same reasons indicated above with regard to claims 1 and 8.

As further distinctions, claims 1 and 9 include recitations in that each oxide semiconductor within the group is individually enclosed by the ceramic region, and each of the plurality of oxide superconductors is physically separate and not in direct physical contact with others of the plurality of oxide superconductors. Thus, for the physically separate oxide superconductors the enclosing ceramic layer must enclose these oxide superconductors in a contiguous manner.

Conclusion

In view of the amendments made hereto and the remarks set forth above, it is submitted that the application is now in condition for allowance and an early indication of same is earnestly solicited.

Respectfully submitted,

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FOLEY & LARDNER
Washington Harbour
3000 K Street, N.W., Suite 500
Washington, D.C. 20007-5109
Telephone: (202) 672-5407
Facsimile: (202) 672-5399

By David A. Blumenthal

David A. Blumenthal
Attorney for Applicant
Registration No. 26,257